

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 06-10-17**

Date Published: October 12, 2006
For Work Week Commencing: October 16, 2006
Commission Meeting: October 17, 2006, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Corporation N2006.10.142 (Gary)

On October 3, 2006 Qwest Corporation (Qwest) filed for Commission approval a Multiple-State Agreement (MSA) between Qwest and McLeodUSA Telecommunications Services, Inc. (McLeodUSA). Qwest is filing the MSA

with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest renewing a contract with McLeodUSA to provide telecommunications services within Qwest's incumbent territory which includes various locations in Montana. The services purchased by McLeodUSA are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the Multi-State Agreement (MSA) between Qwest Corporation and McLeod USA Telecommunications Services, Inc. in Docket No. N2006.10.142.

2. Winter Termination Policy (no docket) (Phil)

The PSC's winter termination rules require utilities to obtain PSC approval before shutting off electric or natural gas service to a nonpaying residential customer from November 1 to April 1. Commission policy has been to delegate authority on an annual basis to the PSC compliance staff to approve or disapprove utility requests for winter shutoffs. Staff seeks PSC action on delegation of authority for this winter's shutoff requests. Probable Motion: Move to delegate authority to compliance staff to approve or disapprove winter shutoff requests.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. N2006.9.139 – CenturyTel – Charge for providing additional copies of bills to customers – Commission action. (10/17/06)
2. D2005.6.105 – PSC Initiated – Qwest's use of federal universal service funds (FUSFs) – Review Qwest's October 11, 2006 responses to the PSC's recent discovery; discuss options for the use of FUSFs including any associated procedural options; obtain any necessary decisions related to the issues raised by this docket. (10/17/06)
3. D2006.6.82 – NorthWestern Corporation and Babcock & Brown Infrastructure Limited, et al. – Joint Application for Approval of the Sale and Transfer of NorthWestern Corporation Pursuant to a Merger Agreement – Update the Commission on responses to data requests,

discuss problems, if any, with responses and receive direction to staff regarding responses and scheduling. (10/17/06)

4. Access to MISO confidential information – Discuss necessary steps to gain access to MISO confidential information and provide direction to staff. (10/17/06)
5. Exempt staff pay raises – Discuss applying the annual 4% raise that PSC staff will receive to exempt staff (Wayne, Kate, Robin, Eric, Mike, Phil) effective with the pay period ending 10/13/06. (10/17/06)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Citizens Telecommunications N2006.10.145 (Scott)

On October 3, 2006 Citizens filed tariff pages requesting to introduce a new residential bundle called Frontier Digital Phone Service. This bundle will be available to all residential customers including those customers receiving a Low Income Assistance Program discount. Citizens' is requesting an effective date of November 3, 2006.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on

the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

1. NorthWestern Corporation D2006.6.82 (AI)

On October 6, 2006, the Commission issued Order No. 6754b granting NorthWestern Corporation's (NorthWestern) Motion for a Protective Order covering for the minutes of meetings of NorthWestern's Board of Directors for the period January 1, 2005 through the present and any related information which it may later have to provide in response to follow-up discovery or PSC inquiry.

2. NorthWestern Corporation D2006.6.82 (AI)

On October 6, 2006, the Commission issued Order No. 6754c granting Babcock & Brown Infrastructure's (BBI) Motion for a Protective Order covering that portion of the minutes of the meetings of the Boards of Directors of BBIL and its parent at which NorthWestern Corp. and its potential acquisition were discussed that disclose the internal rate of return tolerances used to arrive at the final offer submitted to NorthWestern's Board of Directors.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2006.10.145 – Citizens Telecommunications Company of Montana dba Frontier Communications of Montana – Advice Letter No. MT-06-09, Introduce Frontier Digital Phone Service Residential Bundle

D2006.10.146 – Salish Shores Utility Corp. – Application to Implement Initial Rates for Water Service in its Sanders County Montana Service Areas